

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BEAGLE, BURKE & ASSOCIATES,
Guardian of the Estate of Ryan Cuthbert,

Plaintiff,

v.

US BANCORP, (a/k/a US Bank), a
financial institution doing business in the
State of Washington and as successor-in-
interest of NORTHWEST NATIONAL
BANK (a/k/a NW National Bank), a
financial institution that did business in the
State of Washington,

Defendant and Third-Party Plaintiff,

v.

RONALD J. CUTHBERT AND
DEBORAH R. CUTHBERT, husband and
wife,

Third-Party Defendants.

No. C06-5135-FDB

STIPULATION AND AGREED
ORDER DISMISSING THIRD-PARTY
CLAIMS

IT IS STIPULATED by and between the Defendant and Third-Party Plaintiff, US
Bank, and Third-Party Defendants, Ronald J. Cuthbert and Deborah R. Cuthbert, that the
third-party claims shall be dismissed without prejudice and without an award of fees and costs
to either party.

STIPULATION AND ORDER DISMISSING
THIRD-PARTY CLAIMS - 1

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1 DATED this 6th day of November, 2006.

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3 PRESTON GATES & ELLIS LLP

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5 By /s/ Kimberly W. Osenbaugh
Kimberly W. Osenbaugh, WSBA # 5307
6 Attorneys for Defendant and Third-Party
Plaintiff US Bank

/s/ Ronald J. Cuthbert
Ronald J. Cuthbert, *pro se*
Third-Party Defendant

7
8 /s/ Deborah R. Cuthbert
Deborah R. Cuthbert, *pro se*
9 Third-Party Defendant

10
11 **ORDER**

12 THIS MATTER having come before the Court pursuant to the Stipulation of the
13 parties, it appearing that entry of this Order concludes the above-captioned lawsuit in its
14 entirety because Plaintiff's claims against Defendant U.S. Bank were dismissed by stipulated
15 order entered on October 18, 2006; NOW, THEREFORE, IT IS HEREBY

16
17 ORDERED that the third-party claims against Ronald J. Cuthbert and Deborah R.
18 Cuthbert shall be and hereby are dismissed without prejudice and without an award of fees
19 and costs to either party.

20 DATED this 6th day of November 2006.

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25 FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

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5 Presented by:

6 PRESTON GATES & ELLIS LLP
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9 By /s/ Kimberly W. Osenbaugh
10 Kimberly W. Osenbaugh, WSBA # 5307
11 Attorneys for Defendant and Third-Party
12 Plaintiff US Bank
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STIPULATION AND ORDER DISMISSING
THIRD-PARTY CLAIMS - 3

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